

REMARKS

Introductory Remarks

Claim 40 has been amended as shown in the Listing of Claims section. Currently, claim 40 is the only pending claim in the application.

Applicant respectfully submits that the above amendments do not add new matter to the application and are fully supported by the specification. The table below shows where representative support for claim amendments exists in the specification.

Claims	Representative Support
40	Page 10, lines 8-10

In view of the above amendments and the following Remarks, Applicants respectfully request reconsideration and timely withdrawal of the pending objections and rejections for the reasons discussed below.

Obviousness Type Double Patenting

Claim 40 stands provisionally rejected under the judicially created doctrine of obviousness type double patenting over claims 16-20 of U.S. Patent Application No. 10/810,841.

Claim 40 stands rejected under the judicially created doctrine of obviousness type double patenting over claims 18-22 of U.S. Patent No. 6,656,239 and claims 1-4 of U.S. Patent No. 6,749,652. The present application and U.S. Patent Application No. 10/810,841, and U.S. Patent Nos. 6,656,239 and 6,749,652 are currently commonly owned. Applicants respectfully request that this rejection be held in abeyance until claims in the present application are otherwise in

condition for allowance. Upon an indication of allowability of the pending claim, if necessary a terminal disclaimer will be filed to overcome this provisional rejection.

Rejections Under 35 U.S.C. §112, first paragraph

Claim 40 stands rejected under 35 U.S.C. §112, first paragraph as failing to comply with the written description requirement. In particular the office action states that the “specification does not support a non-oxidizing atmosphere ranging from about 50 psi to about 500 psi.” Office Action, page 2. Applicants respectfully traverse this rejection for at least the following reasons.

Applicant respectfully submits that on page 6, lines 19-21, the specification teaches that the non-oxidizing atmosphere may be provided by the introduction of inert or non-oxidizing gas into the mold at a pressure of from about 0 psi., i.e., free flowing gas, up to about 500 psi. The claimed range of from about 50 psi to about 500 psi is clearly within this taught range. Applicant has amended claim 40 to provide a “non-oxidizing atmosphere having a pressure from about that of free flowing gas to about 500 psi.” Applicant respectfully submits that this amendment complies with 35 U.S.C. § 112.

Applicant respectfully requests withdrawal of the 35 U.S.C. §112, first paragraph rejection of claim 16.

Extension of Time

A Petition for a three (3)-month extension of time under 37 C.F.R. §1.136(a) is filed herewith extending the period for response through July 17, 2007. It is not believed that any further extensions of time are required other than those in the accompanying Petition. If extensions of time are necessary to prevent abandonment of this application, then such extensions of time are hereby petitioned for under 37 C.F.R. §1.136(a). Applicants believe that no further fees for net addition of claims are required at this time. Any fees required for extensions of time and any fees for the net addition of claims are hereby authorized to be charged to Deposit Account No. 503310.

Conclusion

Applicant believes that a full and complete response has been made to the pending Office Action and respectfully submits that all of the stated objections and grounds for rejection have been overcome or rendered moot. Should the Examiner feel that there are any issues outstanding after consideration of this Reply, the Examiner is invited to contact the Applicant's undersigned representative at the number below to expedite prosecution. Prompt and favorable consideration of this Reply is respectfully requested.

Respectfully submitted,



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